



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,289	09/16/2003	Fred Zillinger	RR-554	2617

20427 7590 05/21/2004

RODMAN RODMAN
7 SOUTH BROADWAY
WHITE PLAINS, NY 10601

EXAMINER

THOMPSON, KENNETH L

ART UNIT	PAPER NUMBER
----------	--------------

3672

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

10/663,289

Applicant(s)

ZILLINGER, FRED

Examiner

Kenn Thompson

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-28 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 29 Dec 03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Buskirk et al., U.S. 6,367,545.

Regarding claim 1, Van Buskirk et al. discloses in figures 1-16 a replaceable pressure sensor insert (82) adapted for removable connection with an insert carrier. Van Buskirk et al. discloses a housing (28), wherein the housing defines an exterior of the housing and wherein the housing defines an interior of the housing. Van Buskirk et al. discloses a pressure sensor (in 82) connected with the housing such that the pressure sensor is capable of sensing an ambient pressure (via 84) at the exterior of the housing. Van Buskirk et al. discloses an electronics assembly (44,46,60,62) contained within the interior of the housing and electrically connected with the pressure sensor. Van Buskirk et al. discloses a first insert mounting component (76) adapted to be removably connectable with a second insert (90) mounting component associated with the insert carrier in order to facilitate connection and replacement of the insert. Van Buskirk et al. discloses a housing sealing mechanism (74,78) for sealing the insert relative to the insert carrier; and a sensor sealing mechanism (80) for sealing the pressure sensor relative to the housing.

As to claim 2, Van Buskirk et al. discloses the electronics assembly (44,46,60,62) is comprised of a processor for processing data received from the pressure sensor.

As to claim 3, Van Buskirk et al. discloses the electronics assembly is comprised of a memory for storing data generated by the insert.

As to claim 4, Van Buskirk et al. discloses the pressure sensor is comprised of a sensing end (84) for sensing the ambient pressure at the exterior of the housing, wherein the pressure sensor is further comprised of a connecting end (at 76) for electrically connecting the pressure sensor with the electronics assembly, and wherein the connecting end of the pressure sensor is in communication with the interior of the housing in order to facilitate the electrical connection of the pressure sensor and the electronics assembly.

Allowable Subject Matter

Claims 5-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose or suggest all the claimed subject matter including the sensing end of the pressure sensor is comprised of a diaphragm for transmitting the ambient pressure from the exterior of the pressure sensor to the interior chamber of the pressure sensor.

Art Unit: 3672

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Das et al., U.S. 6,705,406; Miszewski, U.S. 6,523,609 and Glotin et al., U.S. 4,105,279 disclose a similar housing.

Patton, U.S. 5,419,405 discloses a similar diaphragm assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenn Thompson whose telephone number is 703 306-5760. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J Bagnell can be reached on 703 308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


14 May 2004